

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

UNITED STATES OF AMERICA                  )  
                                                  )  
v.                                              )         Criminal No. 3:08-CR-0326  
                                                  )  
JUSTIN EUGENE TAYLOR,                    )  
                                                  )  
Petitioner.                                )  
                                                  )  
\_\_\_\_\_

**GOVERNMENT'S POSITION THAT CORRECTED JUDGEMENT IS APPROPRIATE**

The United States of America, by its United States Attorney for the Eastern District of Virginia, Jessica D. Aber, and its Assistant United States Attorney, Olivia L. Norman, hereby concurs with the position that a corrected judgment is appropriate and that the proposed amendments set forth in defendant's position (ECF No. 111) are the appropriate changes to be made to an Amended Judgment in a Criminal Case.

In a motion filed pursuant to 28 U.S.C. § 2255, defendant challenged his conviction on Count Seven, which charged him with use and carry a firearm in relation to a felony crime of violence, specifically the conspiracy to commit robbery charged in Count Five and an attempted robbery charged in Count Six. *See* ECF Nos. 17, 76. The District Court denied defendant's 2255 motion (ECF No. 94) and defendant appealed (ECF No. 95). The Fourth Circuit vacated the denial and remanded the case for resentencing. ECF Nos. 99, 100. The government petitioned for a writ of certiorari (ECF No. 106), which the Supreme Court granted. On June 21, 2022, the Supreme Court affirmed the Fourth Circuit's decision. ECF No. 109.

On July 5, 2022, this Court ordered the parties to file statements regarding the need for a resentencing or, if they agreed that there was no need for a resentencing, a proposed corrected judgment. ECF No. 110.

The parties concur that no resentencing is necessary. The government agrees to the proposed changes to the Judgment in a Criminal Case set forth in defendant's position on Corrected Judgment. ECF No. 111. Additionally, the government has marked up a copy of the original Judgment in this case (ECF No. 44) with the mutually proposed changes, which is attached.

Respectfully submitted

JESSICA D. ABER  
UNITED STATES ATTORNEY

By: /s/  
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**CERTIFICATE OF SERVICE**

I hereby certify on the 19th day of July, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to counsel of record.

By: \_\_\_\_\_ //s//

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